

Bedford Hills, New York
July 3, 2012

A public hearing was held by the Town Board Town of Bedford on July 3, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York to consider the petition by Bedford Lake Sewer Works Corporation to incorporate as a sewer-works corporation pursuant to Transportation Corporations Law §116 and to establish the sewer rate to be charged to the users of the existing waste water treatment system pursuant to Transportation Corporations Law §121. The hearing was called to order at 7:30 P.M. by Supervisor Roberts.

Present:	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	Town Clerk
	Joel H. Sachs	: Town Attorney
	Kevin Winn	: Commissioner of Public Works

And four (4) residents/observers.

Mrs. Roberts called the meeting to order. Proof of Publication was presented by the Town Clerk and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on June 22, 2012.

Mr. William Bright from the Hudson Valley Consulting Inc. presented a report on the sewage-works system. Present on behalf of Bedford Lakes Sewer Corp. was Robert A. Panasci.

Mrs. Roberts opened the floor to public comment and there was none.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby close the public hearing to consider the petition by Bedford Lake Sewer Works Corporation to incorporate as a sewer-works corporation pursuant to Transportation Corporations Law §116 and to establish the sewer rate to be charged to the users of the existing waste water treatment system pursuant to Transportation Corporations Law §121.

On a motion by Mr. Corcoran, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

WHEREAS, the Bedford Lakes Sewage Works Corporation has filed a Petition pursuant to Section 121 of the New York State Transportation Corporations Law with the Town of Bedford Town Clerk to establish rates for the wastewater treatment facility serving apartments owned by Garden Homes Bedford Lake Limited Partnership, townhomes operated by Lakeside at Bedford Condominium, Inc., associated recreational facilities and the Town of Bedford Memorial Park, located in the Town of Bedford;

WHEREAS, the Petition seeks the approval of the Town of Bedford Town Board for the rates to be charged by the Bedford Lakes Sewage Works Corporation;

WHEREAS, Transportation Corporations Law §118(1) requires the Town of Bedford Town Board to retain the services of a consultant to perform an inspection of the wastewater

treatment facility, review the Petition and prepare a report with respect to the proposed sewer rates;

WHEREAS, pursuant to Transportation Corporations Law §118(2), the costs of such inspection, review and preparation of a report by any such consultant shall be reimbursed to the Town of Bedford by the Bedford Lakes Sewage Works Corporation;

WHEREAS, Hudson Valley Consulting, Inc. has submitted a proposal to perform the inspection, review the Petition and prepare a report with respect to the proposed sewer rates and has been determined to be qualified to perform such services.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bedford hereby authorizes Hudson Valley Consulting, Inc. to perform an inspection of the wastewater treatment facility, review the Petition, prepare a report and perform other related services with respect to the Bedford Lake Sewage Works Corporation's proposed Petition to establish sewer rates and approves the services already taken by Hudson Valley Consulting, Inc. with respect to the Petition; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Board authorizes the Supervisor of the Town of Bedford to take all actions required to retain Hudson Valley Consulting, Inc. as a consultant to perform the services required pursuant to Transportation Corporations Law §118, on behalf of the Town of Bedford, said rates not to exceed \$100.00 per hour.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

WHEREAS, the Bedford Lakes Sewage Works Corporation has filed a Petition pursuant to Section 116 of the New York State Transportation Corporations Law for consent to establish and form as a Sewage Works Corporation as defined in Transportation Corporations Law Section 115;

WHEREAS, Garden Homes Bedford Lake Limited Partnership and Lakeside at Bedford Condominium, Inc., operate the wastewater treatment facility serving apartments owned by Garden Homes Bedford Lake Limited Partnership, townhomes operated by Lakeside at Bedford Condominium, Inc., associated recreational facilities and the Town of Bedford Memorial Park, located in the Town of Bedford, New York (the "Facility");

WHEREAS, the Facility has been operating in accordance with the rules and regulations of the New York State Department of Environmental Conservation, New York City Department of Environmental Protection and the Westchester County Department of Health since in or about 1991;

WHEREAS, it appears from the Petition that Garden Homes Bedford Lake Limited Partnership's predecessor in interest formed Bedford Lake Sewage Works Corporation as a Sewage Works Corporation under the Transportation Corporations Law and that the purpose of the proposed Sewage Works Corporation is to operate the Facility.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Bedford hereby grants its consent to the incorporation of Bedford Lakes Sewage Works Corporation and authorizes the Town Supervisor to execute a Certificate to be appended to the Certificate of Incorporation of Bedford Lakes Sewage Works Corporation, consenting to its incorporation.

Mr. Burdick suggested that a plan be submitted to Kevin Winn, Commissioner of Public Works regarding an upgrade plan.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was
ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

WHEREAS, the Bedford Lakes Sewage Works Corporation has filed a Petition pursuant to Section 121 of the New York State Transportation Corporations Law with the Town of Bedford Town Clerk to establish rates for the wastewater treatment facility serving apartments owned by Garden Homes Bedford Lake Limited Partnership, townhomes operated by Lakeside at Bedford Condominium, Inc., associated recreational facilities and the Town of Bedford Memorial Park, located in the Town of Bedford;

WHEREAS, the Petition seeks the approval of the Town of Bedford Town Board for the rates to be charged by the Bedford Lakes Sewage Works Corporation;

WHEREAS, the Petition has been reviewed by the Town of Bedford's consultant, Hudson Valley Consulting, who has determined that the rates proposed by Bedford Lakes Sewage Works Corporation are fair, reasonable and adequate.

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Bedford hereby grants the Petition of Bedford Lakes Sewage Works Corporation and approves the rates proposed in the Petition, as follows:

\$1,400 per unit operated by the Lakeside at Bedford Condominium, Inc.; and

\$57,600 for the apartments operated by Garden Homes Bedford Lake Limited Partnership.

There being no further discussion the hearing was adjourned at 7:49 pm.

Lisbeth Fumagalli, Town Clerk